

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

WESLEY VICE and
NORMA VICE,

Plaintiffs,

versus

CIVIL ACTION NO. 1:17-CV-213

**BLUE CROSS BLUE SHIELD OF
TEXAS, a division of Health Care
Service Corporation, a Mutual Legal
Reserve Company,**

Defendant.

ORDER OF CONDITIONAL DISMISSAL

The court having been advised by the mediator that an amicable settlement has been reached in this action and that final settlement papers would be forthcoming, it is ORDERED that this case is dismissed on the merits without prejudice to the right of counsel of record to move for reinstatement within ninety (90) days upon presentation of adequate proof that final approval of the settlement could not be obtained from the respective principals for whom counsel act.

Any outstanding motions, including Defendant Blue Cross Blue Shield of Texas's Motion for Summary Judgment (#15) and Plaintiffs Wesley Vice and Norma Vice's Motion for Partial Summary Judgment (#14), First Motion for Summary Judgment (#18), and Motion for Sanctions (#26), are conditionally denied as moot pending final settlement papers. In the event this case is reinstated, counsel retains the responsibility to re-urge any motions previously denied as moot.

This court retains jurisdiction to enforce the settlement.

SIGNED at Beaumont, Texas, this 16th day of May, 2018.

Maria A. Crone

MARIA A. CRONE
UNITED STATES DISTRICT JUDGE